

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Woodhaven Court, 260 ft. NE of Chesaco Avenue
8002 Woodhaven Court
14th Election District
7th Councilmanic District
Donnie T. Staggs, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-386-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Donnie T. Staggs and Nancy L. Staggs, for that property known as 8002 Woodhaven Court in the Camelot Subdivision of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed in ground swimming pool to be located outside of that third of the lot farthest removed from any street, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of June, 1993 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed in ground swimming pool to be located outside of that third of the lot farthest removed from any street, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 8, 1993

Mr. and Mrs. Donnie T. Staggs
8002 Woodhaven Court
Baltimore, Maryland 21237

RE: Petition for Administrative Variance
Case No. 93-386-A
8002 Woodhaven Court

Dear Mr. and Mrs. Staggs:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8002 Woodhaven Court
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 TO PERMIT A PROPOSED (IN GROUND) SWIMMING POOL TO BE LOCATED OUTSIDE OF THAT THIRD OF THE LOT FARTEST REMOVED FROM ANY STREET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner	Legal Owner
(Type or Print Name)	Donnie T. Staggs
Signature	(Signature)
Address	Nancy L. Staggs
City	(Type or Print Name)
State	8002 Woodhaven Court
Zipcode	Baltimore, Md. 21237
Attorney for Petitioner	City
(Type or Print Name)	State
Signature	Zipcode
Address	Robert Spero
City	Maryland Pools, Inc.
State	Name
Zipcode	9515 Gerwig Lane #119
	Address
	City
	State
	Zipcode

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this 10th day of June, 1993, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature] DATE: 5/6/93
ESTIMATED POSTING DATE: 5/23/93

ITEM #: 398

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at 8002 Woodhaven Court
Baltimore, Maryland 21237

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate variance or variance affidavits)

SEE ATTACHED

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a requesting and advertising fee and may be required to provide additional information.

Donnie T. Staggs
Nancy L. Staggs

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 5th day of May, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Donnie T. Staggs

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.
5 May 1993

My Commission Expires: 31 July 1994

93-386-A

TO INSTALL POOL IN DESIGNATED AREA
DUE TO PERMANENT LOCATION OF SHED WITH CONCRETE
BASE AND TO ALLOW SUITABLE CONCRETE
WALK AROUND POOL. POOL TO REMAIN
BEHIND RESIDENCE AND NOT WALKING ON
EXISTING 25' SIDE SETBACK. POOL TO
EXCEED ONLY 10' INTO RESTRICTED AREA.

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format whenever possible; otherwise, type or print on 8 1/2" x 11" sheet.

ZONING DESCRIPTION FOR 8002 Woodhaven Court
Election District 14 Councilmanic District 7
Beginning at a point on the WEST side of
(north, south, east or west)
Woodhaven Court which is 50'
(street on which property fronts) (number of feet of right-of-way width)
wide at a distance of 260' NORTH east of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Chesaco Ave.
(name of street)
which is 70' wide. "Being Lot # 5"
(number of feet of right-of-way width)
Block A, Section # 12 in the subdivision of
"Camelot" as recorded in Baltimore County Plat
(name of subdivision)
Book # 38, Folio # 149, containing
8000 sq. ft. ± ± 0.18 acres
(square feet and acres)

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the lot, block and subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location."

Example of metes and bounds: N. 67° 12' 13" E. 32.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 49' 00" W. 518 ft., and N. 08° 25' 22" W. 80 ft. to the place of beginning.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 144 Date of Posting 7/14/93
Posted for: Variance
Petitioner: Donnie T. Staggs
Location of property: 8002 Woodhaven Ct., Wb, 14th Councilmanic
Location of Sign: Facing 100' Ave., E. 14th St. to the S. 14th St.
Remarks: [Signature]
Posted by: [Signature] Date of return: 9/2/93
Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Date 5/6/93

receipt
93-386-A
398

By James Lewis

ADMIN. ZONING VARIANCE FILING FEE CODE: 010 \$50.00
(1) SIGN POSTING FEE CODE: 080 \$35.00
TOTAL = \$85.00
OWNER: STAGGS
ADDRESS 8002 WOODHAVEN CT.

03A03#0128M1CHRC
BA CD10132AM05-04-93 \$85.00
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborly property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 398
Petitioner: DONNIE STAGGS
Location: 8002 WOODHAVEN CT.
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert Stagg
ADDRESS: 4515 GARDING LANE #119
COLUMBIA, MD 21046
PHONE NUMBER: 985-6600

AJ:ggg (Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

MAY 14, 1993 (410) 887-3353

Donnie and Nancy Staggs
8002 Woodhaven Court
Baltimore, Maryland 21237

Re: CASE NUMBER: 93-386-A (Item 398)
8002 Woodhaven Court
9/3 Woodhaven Court, 260' NE of Chesapeake Avenue
14th Election District - 7th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reminder regarding the administrative process.

- 1) Your property will be posted on or before May 23, 1993. The closing date (June 7, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

May 24, 1993 (410) 887-3353

Mr. and Mrs. Donnie T. Staggs
8002 Woodhaven Court
Baltimore, MD 21237

RE: Case No. 93-386-A, Item No. 398
Petitioner: Donnie T. Staggs, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Staggs:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 6, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

SH.A Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-14-93

Re: Baltimore County
Item No.: 398 (JLL)

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5862 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-5717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 14, 1993

FROM: Captain Jerry Pfeifer
Fire Department

SUBJECT: Comments for 05/24/93 Meeting

Item 396	Buildings, roads and systems designed to deliver water for fire protection purposes shall be approved by the Fire Department.
Item 397	Driveway shall be of a width to provide for Fire Department vehicle access.
Item 398	No Comments
Item 399	Space shall comply to the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.
Item 400	Townhouses, for which the initial building permit is applied for after July 1, 1992, are required by State Law to be sprinklered. Additional fire hydrants are needed on Hinacole Lane, Seabreeze Lane, and the north section of Marina Drive.
Item 401	No Comments
Item 402	Space shall comply to the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.
Item 403	No Comments
Item 404	No Comments

RECEIVED
MAY 17 1993
ZADM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 26, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 398 and 404. 93-386-A Staggs

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *John J. Keller*
PK/JL:lw

398.ZAC/ZAC1

93-386-A

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 8002 Woodhaven Court

Subdivision name: Camelot

plat books 38, folios 323, 324, 5, sections 12

OWNER: Donnie T. & Nancy L. Staggs

CHESAPEAKE

LOT 3 LOT 4 LOT 5 LOT 6 LOT 7

WOODHAVEN

North
date: May 6, 1993
prepared by: RWS

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 14th
Councilmanic District: 7

1"=200' scale map: N.E. 3 - E

Zoning: RES-5

Lot size: 0.18 acreage 80002 square feet

SEWER: ☐ WATER: ☐

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: None

Zoning Office USE ONLY

prepared by: ITEM #: 398

93-386-A



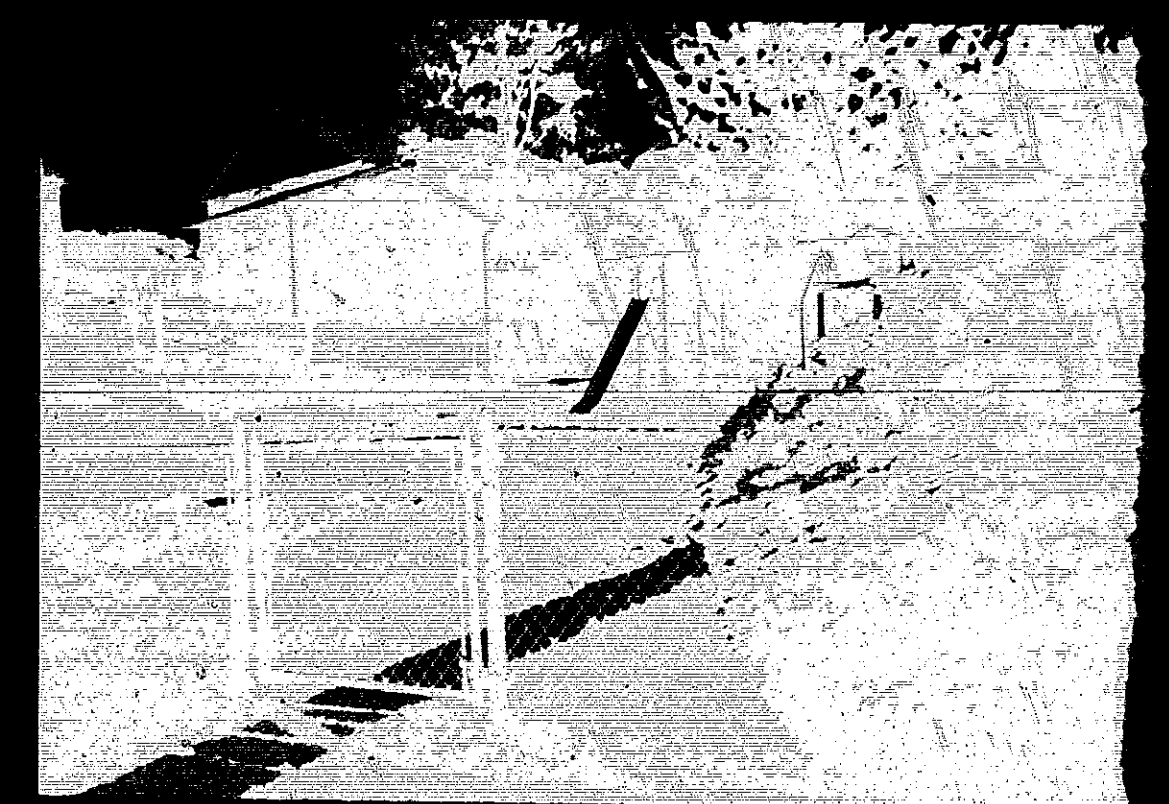
93-386-A



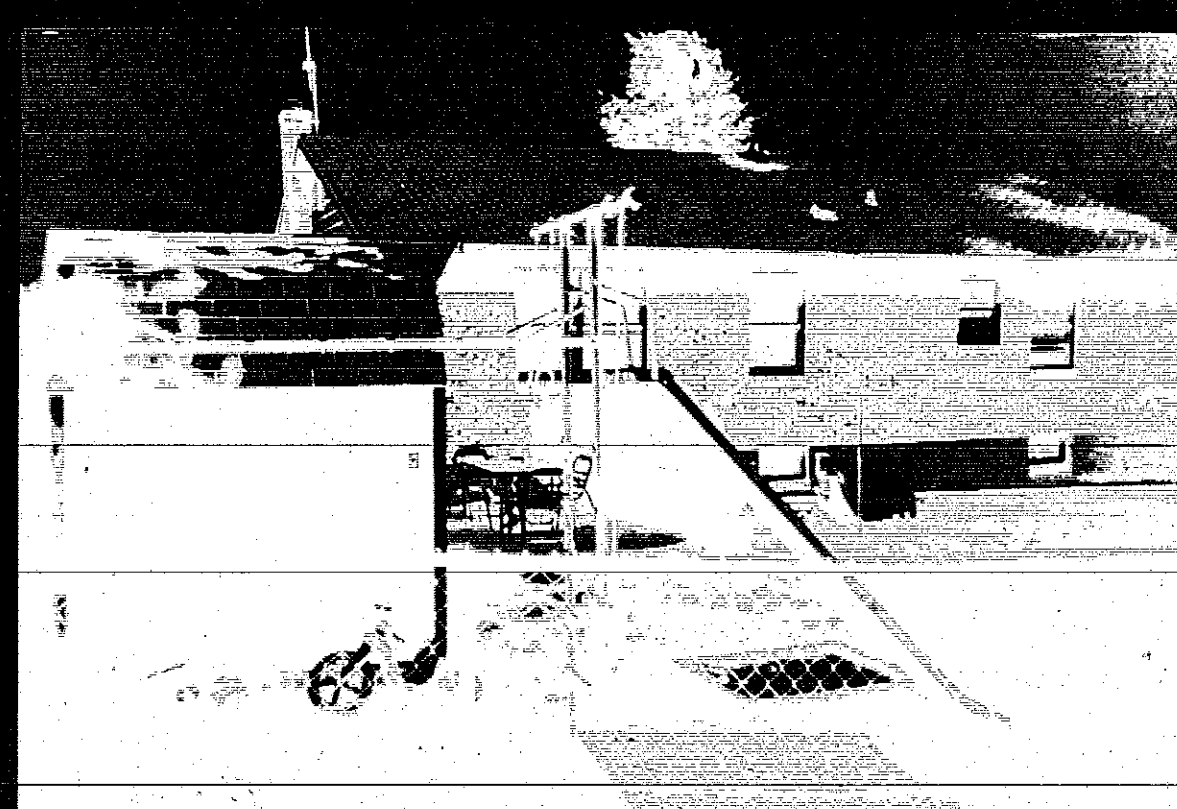
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93-386-A



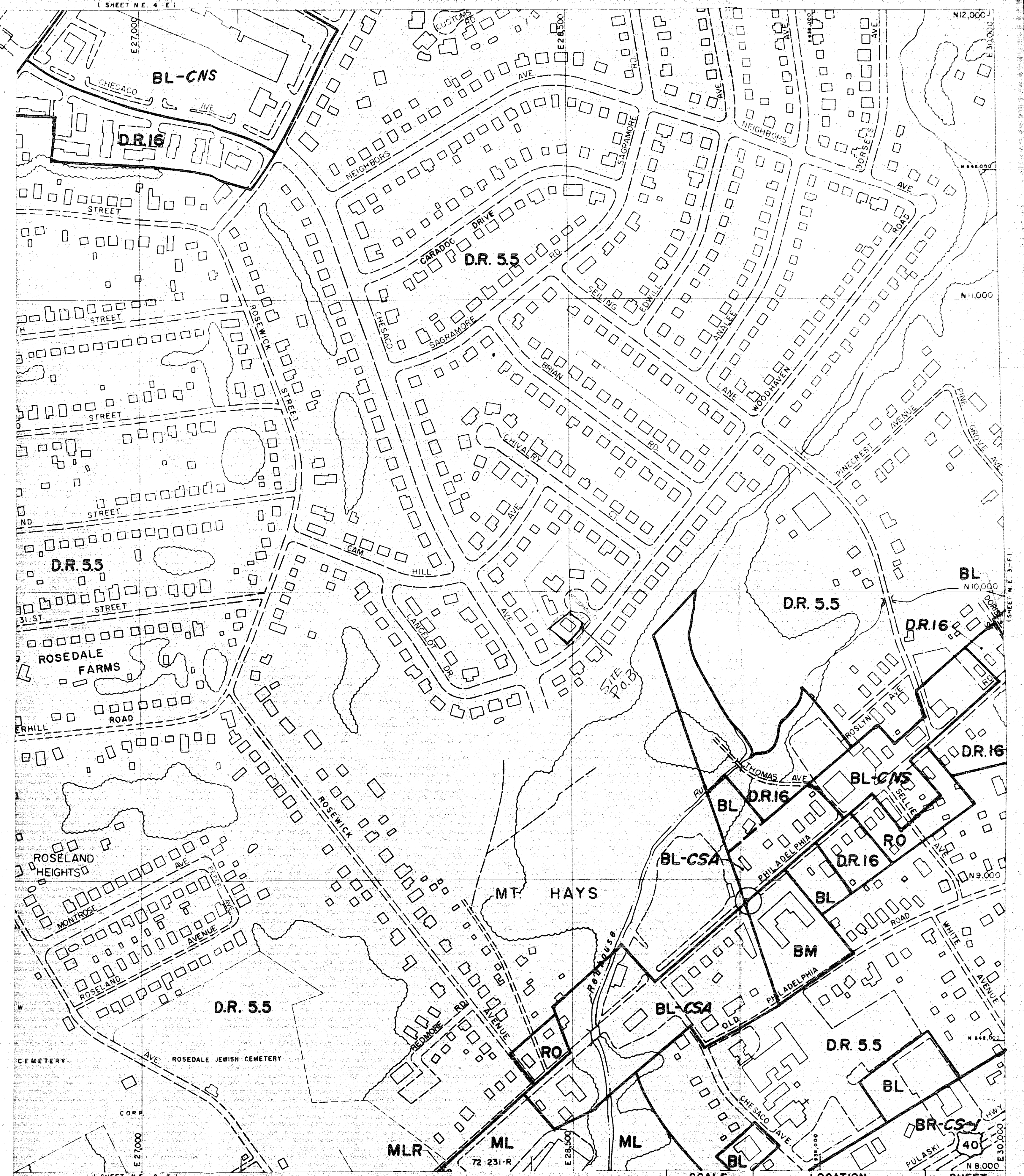
93-386-A





BALTIMORE COUNTY
OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION ROSEDALE	SHEET N.E. 3-E
DATE OF PHOTOGRAPHY JANUARY 1986		



BALTIMORE COUNTY OF PLANNING AND ZONING SOCIAL ZONING MAP		1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92	SCALE 1" = 200' ±	LOCATION ROSEDALE	SHEET N.E. 3-E
		<i>William A. Howard</i> Chairman, County Council	DATE OF PHOTOGRAPHY JANUARY 1986		

6-A

NE 3E 398
1" = 200'